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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,584	07/29/2003	Yannis Labrou	1634.1002	4134
21171	7590	01/09/2008	EXAMINER	
STAAS & HALSEY LLP			LEVINE, ADAM L	
SUITE 700			ART UNIT	
1201 NEW YORK AVENUE, N.W.			PAPER NUMBER	
WASHINGTON, DC 20005			3625	
			MAIL DATE	DELIVERY MODE
			01/09/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

10/628,584

Examiner

Adam Levine

Applicant(s)

LABROU ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Information disclosure statements filed 29 November 2007 and 18 December 2007.
2. ☒ The allowed claim(s) is/are 1-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date See Continuation Sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

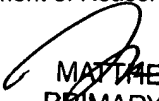
5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_.

  
MATTHEW S. GART  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 3600

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 29 November 2007, 18 December 2007.

## DETAILED ACTION

### ***Information Disclosure Statement***

The information disclosure statements (IDS) submitted on November 29, 2007, and December 18, 2007, were filed after the mailing date of the Post-Allowance communication on November 14, 2007. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Supplemental Reasons for Allowance***

The previously noted reasons for allowance are maintained. The following is an examiner's statement of additional reasons for allowance in light of the references disclosed with the information disclosure statement filed November 29, 2007:

#### Regarding independent claim 1

Claim 1 recites a method for conducting a purchasing agreement for goods and services between a consumer and a merchant through a secure transaction server (STS) as a trusted third party, comprising *inter alia*:

generating, by the consumer independently of the merchant and the STS, a consumer view of the purchasing agreement secured based upon both a first mobile device parameter stored in a consumer mobile device and a second mobile device parameter input to the consumer mobile device;

transmitting over an open and non-secure wireless communication channel the

secured consumer view of the purchasing agreement to the merchant;

generating, by the merchant independently of the consumer and the STS, a  
secured merchant view of the agreement;

transmitting the consumer and merchant views of the agreement to the STS; and  
verifying, by the STS, conditions of the purchase agreement including identities  
of the merchant and the consumer in the independently generated secured consumer  
and merchant views of the purchase agreement, based upon the first and second  
consumer mobile device parameters for the secured consumer view;

Smith et al. (International Publication No. WO 01/35570 A1), teaches the use of two (or more) parameters provided by and transmitted between parties to secure and confirm agreement terms and the identities of the parties. Smith teaches the issuing and transmission of transactions IDs, party IDs, a transaction key, and potentially a user password or PIN by and between a transaction administrator, a merchant and a buyer. Smith discloses transmission of various parameters from buyer to merchant and then to the transaction administrator, and transmission of parameters from merchant to buyer and then to transaction administrator, however, Smith does not teach or fairly and reasonably suggest a method for conducting a purchasing agreement for goods and services between a consumer and a merchant through a secure transaction server (STS) as a trusted third party, comprising *inter alia*:

generating, by the consumer independently of the merchant and the STS, a  
consumer view of the purchasing agreement secured based upon both a first mobile

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device parameter stored in a consumer mobile device and a second mobile device parameter input to the consumer mobile device;

transmitting over an open and non-secure wireless communication channel the secured consumer view of the purchasing agreement to the merchant;

generating, by the merchant independently of the consumer and the STS, a secured merchant view of the agreement;

transmitting the consumer and merchant views of the agreement to the STS; and  
verifying, by the STS, conditions of the purchase agreement including identities of the merchant and the consumer in the independently generated secured consumer and merchant views of the purchase agreement, based upon the first and second consumer mobile device parameters for the secured consumer view.

For example, Smith does not teach or fairly and reasonably suggest the independent generation of a consumer view of a purchasing agreement by a consumer and the independent generation of a merchant view of a purchasing agreement by a merchant. Smith does not teach or fairly and reasonably suggest the securing of the independently generated consumer view of the purchasing agreement by both a first parameter stored on a consumer device and a second parameter input into the device while the consumer view of the agreement is transmitted on a non-secure channel to the merchant, who transmits both versions of the agreement to the transaction administrator (STS), with said administrator then verifying the conditions of the agreement including identities of the parties and the independent views of the

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agreement, based on the first and second consumer device parameters for the secured consumer view.

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam Levine whose telephone number is 571.272.8122. The examiner can normally be reached on M-F, 8:30-5:00 Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571.272.6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

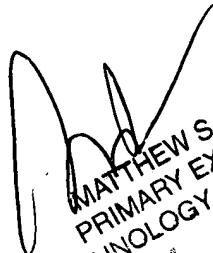
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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Adam Levine  
Patent Examiner  
December 28, 2007

  
MATTHEW S. GART  
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